IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6690 OF 2007

Haribhau Raghunath Kakade. ...Petitioner

vs.

1.Deccan Education Society & ors. ...Respondents.

Mr.U.P.Warunjikar, for the Petitioner.

Mr.V.D.Borwankar with Mr.A.S.Pratinidhi, for Respondents 1 and 2.

Mr.R.D.Rane, G.P. For Respondent no.3.

CORAM: D.K.DESHMUKH &

V.M.KANADE, JJ.

DATED: 20th December,2007.

P.C.:-

By consent of parties, the petition is disposed of in the following terms:-

1. It is common ground that the appeal

filed by the petitioner challenging the order of the management terminating his services because the misconduct was proved against the petitioner, is pending. In case the appeal is not decided by the Tribunal within a period of six weeks from today, the management shall within a period of two weeks thereafter pay to the petitioner the amount of gratuity and the provident fund to which the petitioner is entitled to on the basis of services actually rendered by him, subject to the result of the appeal and on the petitioner filing an undertaking to bring back the amount depending upon the result in the appeal.

2. The management shall make payment of other amounts to which the petitioner may be entitled to as per the order of the Tribunal within a period of four weeks of the Tribunal passing the order.

This order is being passed with the consent of parties but without prejudice to the rights and contentions of both the sides.

(D.K.DESHMUKH, J.)

(V.M.KANADE,J.)